

A meeting of the **OVERVIEW AND SCRUTINY PANEL (PERFORMANCE AND CUSTOMERS)** will be held in **CIVIC SUITE 0.1A, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN** on **MONDAY, 5TH MARCH 2018** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

**Contact
(01480)**

APOLOGIES

1. MINUTES (Pages 5 - 8)

To approve as a correct record the Minutes of the meeting held on 31st January 2018.

**A Green
388008**

2. MEMBERS' INTERESTS

To receive from Members declarations as to disclosable pecuniary and other interests in relation to any Agenda item.

3. NOTICE OF KEY EXECUTIVE DECISIONS (Pages 9 - 12)

A copy of the current Notice of Key Executive Decisions is attached. Members are invited to note the Plan and to comment as appropriate on any items contained therein.

**B Buddle
388007**

4. LETTINGS POLICY REVIEW (Pages 13 - 54)

The Panel are to receive a report on the Lettings Policy Review.

**J Collen
388220**

5. OVERVIEW AND SCRUTINY PROGRESS (Pages 55 - 60)

Members are to receive the work programmes for all Overview and Scrutiny Panels.

**A Green
388008**

Dated this 23rd day of February 2018



Head of Paid Service

Notes

1. Disclosable Pecuniary Interests

- (1) *Members are required to declare any disclosable pecuniary interests and unless you have obtained dispensation, cannot discuss or vote on the matter at the meeting and must also leave the room whilst the matter is being debated or voted on.*

(2) A Member has a disclosable pecuniary interest if it -

- (a) relates to you, or
- (b) is an interest of -

- (i) your spouse or civil partner; or
- (ii) a person with whom you are living as husband and wife; or
- (iii) a person with whom you are living as if you were civil partners

and you are aware that the other person has the interest.

(3) Disclosable pecuniary interests includes -

- (a) any employment or profession carried out for profit or gain;
- (b) any financial benefit received by the Member in respect of expenses incurred carrying out his or her duties as a Member (except from the Council);
- (c) any current contracts with the Council;
- (d) any beneficial interest in land/property within the Council's area;
- (e) any licence for a month or longer to occupy land in the Council's area;
- (f) any tenancy where the Council is landlord and the Member (or person in (2)(b) above) has a beneficial interest; or
- (g) a beneficial interest (above the specified level) in the shares of any body which has a place of business or land in the Council's area.

Non-Statutory Disclosable Interests

(4) If a Member has a non-statutory disclosable interest then you are required to declare that interest, but may remain to discuss and vote providing you do not breach the overall Nolan principles.

(5) A Member has a non-statutory disclosable interest where -

- (a) a decision in relation to the business being considered might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the council tax payers, rate payers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or
- (b) it relates to or is likely to affect a disclosable pecuniary interest, but in respect of a member of your family (other than specified in (2)(b) above) or a person with whom you have a close association, or
- (c) it relates to or is likely to affect any body –
 - (i) exercising functions of a public nature; or
 - (ii) directed to charitable purposes; or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a Member or in a position of control or management.

and that interest is not a disclosable pecuniary interest.

2. Filming, Photography and Recording at Council Meetings

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be filmed. The Chairman of the meeting will facilitate this preference by ensuring that any such request not to be recorded is respected.

Please contact Mr Adam Green, Democratic Services Officer (Scrutiny), Tel No. 01480 388008/e-mail Adam.Green@huntingdonshire.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee/Panel.

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the District Council's website –
www.huntingdonshire.gov.uk (*under Councils and Democracy*).

If you would like a translation of Agenda/Minutes/Reports or would like a large text version or an audio version please contact the Elections & Democratic Services Manager and we will try to accommodate your needs.

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

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HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the OVERVIEW AND SCRUTINY PANEL (PERFORMANCE AND CUSTOMERS) held in Meeting Room 0.1a and 0.1b, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Wednesday, 31st January 2018.

PRESENT: Councillor D M Tysoe – Chairman.
Councillors Mrs B E Boddington, R C Carter, S Greenall, Mrs R E Mathews, J M Palmer, Mrs D C Reynolds and M F Shellens.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors K M Baker, R B Howe, P D Reeve and Mrs S L Taylor.

IN ATTENDANCE: Councillors D Brown and J A Gray.

50. MINUTES

The Minutes of the meeting held on 10th January 2018 was approved as a correct record and signed by the Chairman.

(At 7.00pm, during the consideration of this item, Councillor S Greenall entered the meeting.)

51. MEMBERS' INTERESTS

No declarations of interest were received.

52. NOTICE OF KEY EXECUTIVE DECISIONS

The Panel received and noted the current Notice of Key Executive Decisions (a copy of which has been appended in the Minute Book) which has been prepared by the Executive Leader for the period 1st February 2018 to 31st May 2018.

53. FINAL REVENUE BUDGET 2018/19 AND MEDIUM TERM FINANCIAL STRATEGY 2019/20 TO 2022/23

With the aid of a report by the Head of Resources (a copy of which has been appended in the Minute Book) the Final Revenue Budget 2018/19 and the Medium Term Financial Strategy 2019/20 to 2022/23 was presented to the Panel. The Executive Councillor for Strategic Resources updated Members on the developments and changes to the budget since it was last presented to the Panel.

Members were informed that Cabinet has endorsed the proposal to increase Council Tax by 2%. In addition, the income from a closed churchyard levy and bus departure levy has been taken out of the budget for 2018/19. The Executive Councillor explained that the Council would require to develop a policy for the maintenance of the closed churchyards. Regarding the bus departure levy, the Cabinet decided that the Council would have to discuss the proposal with the

bus companies before deciding to implement it.

The Executive Councillor explained that the budget now outlines the income of the Commercial Investment Strategy (CIS) and the cost of the strategy. Members were informed of shortfall in income if the Council did not have CIS.

The Head of Resources informed the Panel of the 4 year efficiency plan and, as the Section 151 Officer, stated that the budget is sound.

In response to a question on the removal of the Closed Churchyard Levy, Members were informed that the Council intends to consult with affected Parishes before including the levy in the 2019/20 budget.

Following a question, the Panel were informed that the Council has committed to maintain a reserve at 15%.

A Member expressed concern that as the Council moves into a commercial area, incomes can become less secure.

In response to a concern expressed regarding the level of general reserves, the Executive Councillor explained that the CIS generates an income however, the Council are a little way off where the Executive Councillor would like to be.

When asked about the funding allocated to the 'to be acquired' section, it was explained that the Council intends to make further commercial investments and that the delivery of CIS will be sporadic.

A Member stated that they were concerned about the discussion of transfer of duties as this isn't matched with transfer of funds.

54. INTEGRATED PERFORMANCE REPORT 2017/18 - QUARTER 3

With the aid of a report by the Corporate Team Manager and the Finance Manager (a copy of which has been appended in the Minute Book) the Integrated Performance Report 2017/18 – Quarter 3 was presented to the Panel.

The Panel was informed that performance in several areas has improved in quarter three however, as the performance of those areas were not good in quarters one and two, the end of year rating is likely to remain red.

It was confirmed that the number of missed bins per 1000 households includes those bins missed as a result of refuse vehicles being unable to traverse down streets, and collect the bin, due to poorly parked vehicles. The Panel was informed that this indicator has seen an improvement this quarter. A Member added that the poor performance is partly due to the waste round reconfiguration.

In response to a concern expressed, the Panel was assured that homelessness is a pressing concern for the Council.

The Head of Resources informed Members that the Council is still forecasting an overspend however this has decreased by £100k this quarter. In addition the Panel was informed that the lease for One

Leisure St Neots has been signed. Members expressed their 'delight' at the signing of the lease.

Regarding the Bridge Place Car Park project, a Member stated that if the project progresses it would be positive however, added that it can be difficult when dealing with common rights issues.

55. TREASURY MANAGEMENT STRATEGY 2018/19

With the aid of a report by the Head of Resources (a copy of which has been appended in the Minute Book) the Treasury Management Strategy 2018/19 was presented to the Panel.

The Head of Resources stated that developing a Treasury Management Strategy is a responsibility of the Council. The report on the Strategy has changed very little since last year, although this year's report does reflect the current economic cycle.

The Panel was informed of the changes to the report and the Minimum Revenue Provision Policy was explained.

56. CORPORATE RISK REGISTER

With the aid of a report by the Internal Audit and Risk Manager (a copy of which has been appended in the Minute Book) the Corporate Risk Register was presented to the Panel.

The Panel were informed that there were 10 corporate risks recorded on the risk register as of 15th January 2018 and that three exceeded the agreed risk appetite.

In response to a question about the completion of safeguarding training, the Panel was informed that the training is planned to be completed by the end of June 2018.

Some concern was expressed regarding the Commercial Investment Strategy and the potential for the Government to legislate in this area and curtail the Council's ability to purchase commercial investments outside the District. The Panel was reassured that, in that eventuality, the Council is able to refocus and look for investment opportunities within the District. The Executive Councillor reminded Members that underpinning the CIS is a document that states that the Council should also invest in commercial properties outside of the District.

A Member expressed concern that the implementation of the General Data Protection Regulations was not listed as a corporate risk within the report.

57. EXCLUSION OF PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting because the business to be transacted contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

58. COMMERCIALISATION - BUSINESS CASE

Consideration was given to a report by the Head of Community regarding the Commercialisation Business Case.

The Panel was informed of the business case, the details of the contract and the finances of the commercialisation project. In addition, Members were given information on the procurement process involved and the preferred bidder.

Members expressed that they had concerns regarding the project, which were forwarded on to the Cabinet for their consideration. One concern was that the business case was 'incomplete' with key financial figures missing. They recommended that the report and business case is amended before it is approved by Cabinet.

(At 8.27pm, during the consideration of this item, Councillor J A Gray left the meeting and did not return.)

(At 8.44pm, during the consideration of this item, Councillor Mrs B E Boddington left the meeting and did not return.)

(At 8.44pm, during the consideration of this item, Councillor Mrs D C Reynolds left the meeting.)

(At 8.46pm, during the consideration of this item, Councillor Mrs D C Reynolds returned to the meeting.)

59. RE-ADMITTANCE OF PRESS AND PUBLIC

RESOLVED

That the press and public be re-admitted to the meeting.

60. OVERVIEW AND SCRUTINY PROGRESS

With the aid of a report by the Democratic Services Officer (Scrutiny) (a copy of which is appended in the Minute Book), the Panel reviewed all Panel's work programmes since the last meeting.

Councillor R C Carter gave Members a brief update on the work of the One Leisure Value For Money Task and Finish Group and stated that the final report will be present to Members at the Panel meeting in March 2018.

(At 9.28pm, during the consideration of this item, Councillor D Brown left the meeting and did not return.)

Chairman

NOTICE OF EXECUTIVE KEY DECISIONS INCLUDING THOSE TO BE CONSIDERED IN PRIVATE

Prepared by Councillor G J Bull, Executive Leader of the Council
Date of Publication: 21 February 2018
For Period: 1 March 2018 to 30 June 2018

Membership of the Cabinet is as follows:-

Councillor G J Bull	Executive Leader of the Council	Councillor R Fuller	Deputy Executive Leader and Executive Councillor for Housing and Planning
Councillor D Brown	Executive Councillor for Commercial and Shared Services	Councillor J A Gray	Executive Councillor for Strategic Resources
Councillor S Cawley	Executive Councillor for Transformation and Customers	Councillor J White	Executive Councillor for Operations
Councillor Mrs A Dickinson	Executive Councillor for Community Resilience, Well-Being, and Regulatory Services		

Notice is hereby given of:

- Key decisions that will be taken by the Cabinet (or other decision maker)
- Confidential or exempt executive decisions that will be taken in a meeting from which the public will be excluded (for whole or part).

A notice/agenda together with reports and supporting documents for each meeting will be published at least five working days before the date of the meeting. In order to enquire about the availability of documents and subject to any restrictions on their disclosure, copies may be requested by contacting the Democratic Services Team on 01480 388169 or E-mail Democratic.Services@huntingdonshire.gov.uk.

Agendas may be accessed electronically at www.huntingdonshire.gov.uk.

Formal notice is hereby given under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that, where indicated part of the meetings listed in this notice will be held in private because the agenda and reports for the meeting will contain confidential or exempt information under Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. See the relevant paragraphs below.

Any person who wishes to make representations to the decision maker about a decision which is to be made or wishes to object to an item being considered in private may do so by emailing Democratic.Services@huntingdonshire.gov.uk or by contacting the Democratic Services Team. If representations are received at least eight working days before the date of the meeting, they will be published with the agenda together with a statement of the District Council's response. Any representations received after this time will be verbally reported and considered at the meeting.

Paragraphs of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) (Reason for the report to be considered in private)

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the Financial and Business Affairs of any particular person (including the Authority holding that information)
4. Information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations that are arising between the Authority or a Minister of the Crown and employees of or office holders under the Authority
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
6. Information which reveals that the Authority proposes:-
 - (a) To give under any announcement a notice under or by virtue of which requirements are imposed on a person; or
 - (b) To make an Order or Direction under any enactment
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Huntingdonshire District Council
 Pathfinder House
 St Mary's Street
 Huntingdon PE29 3TN.

- Notes:- (i) Additions changes from the previous Forward Plan are annotated ***
 (ii) Part II confidential items which will be considered in private are annotated ## and shown in italic.

10 Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Reasons for the report to be considered in private.	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Lettings Policy Review	Cabinet	22 Mar 2018		Jon Collen, Housing Needs and Resources Manager Tel No. 01480 388220 or email: jon.collen@huntingdonshire.gov.uk		R Fuller	Performance and Customers
Growth and Infrastructure Planning Update***	Cabinet	22 Mar 2018		Clara Kerr, Planning Services Manager Tel No. 01480 388430 or email: clara.kerr@huntingdonshire.gov.uk		R Fuller	Economy and Growth
Business Case for Document Centre Commercialisation##	Cabinet	22 Mar 2018		Chris Stopford, Head of Community Tel No. 01480 388280 or email: chris.stopford@huntingdonshire.gov.uk		D Brown	Performance and Customers
Shared Service 2018/19 Business Plans***##	Cabinet	19 Apr 2018		Oliver Morley Tel No. 01480 388103 or email: oliver.morley@huntingdonshire.gov.uk		D Brown	Performance and Customers

Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Reasons for the report to be considered in private	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Car Parking Strategy Task and Finish Group - Update***	Cabinet	21 Jun 2018		Neil Sloper, Head of Operations Tel No. 01480 388635 or email: neil.sloper@huntingdonshire.gov.uk		J White	Economy and Growth
Community Resilience Plan***	Cabinet	21 Jun 2018		Chris Stopford, Head of Community Tel No. 01480 388280 or email: chris.stopford@huntingdonshire.gov.uk		Mrs A Dickinson	Communities and Environment
Hinchingbrooke Country Park Long Term Business Plan***##	Cabinet	21 Jun 2018		Neil Sloper, Head of Operations Tel No. 01480 388635 or email: neil.sloper@huntingdonshire.gov.uk		J White	Communities and Environment
Paxton Pits Long Term Business Plan***##	Cabinet	21 Jun 2018		Neil Sloper, Head of Operations Tel No. 01480 388635 or email: neil.sloper@huntingdonshire.gov.uk		J White	Communities and Environment
Godmanchester Nursery Update***##	Cabinet	21 Jun 2018		Neil Sloper, Head of Operations Tel No. 01480 388635 or email: neil.sloper@huntingdonshire.gov.uk		J White	Communities and Environment

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Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Lettings Policy Review

Meeting/Date: Overview and Scrutiny Panel (Performance and Customers)
5th March 2018

Executive Portfolio: Executive Member for Housing and Planning

Report by: Housing Needs and Resources Manager

Wards affected: All

RECOMMENDATION

The Overview and Scrutiny Panel is invited to comment on the Cabinet report attached at Appendix A regarding amendments to the Council's Lettings Policy.

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter:	Lettings Policy Review
Meeting/Date:	Overview and Scrutiny Panel (Performance and Customers) 5th March 2018 Cabinet – 22nd March 2018
Executive Portfolio:	Executive Member for Housing and Planning
Report by:	Housing Needs and Resources Manager
Wards affected:	All

Executive Summary:

The Council's Lettings Policy provides the legal allocations framework as to who is accepted onto the register, how the register is administered and how the majority of social rented housing in the district is let.

The policy must be reviewed and amended where necessary in light of changes in legislation, new statutory guidance or precedents and rulings made in the Courts.

The Council's policy has been amended to reflect changes as a result of:

1. The introduction of the Homelessness Reduction Act in April 2018 and the amendments to duties that the Council must perform and the various sections within the homelessness legislation.
2. Decisions in caselaw that have clarified that Councils are unable to exclude from their housing register applicants that fall within defined 'reasonable preference' categories, as defined within the Housing Act 1996.

Recommendation:

That Cabinet approve the amended Lettings Policy, as attached as Appendix 1 to the report.

1. PURPOSE OF THE REPORT

- 1.1 As the local Housing Authority, the Council is required by law to have an allocations scheme for determining priorities in the allocation of social rented housing. The Lettings Policy is the Council's allocations scheme.
- 1.2 Although the Council is no longer a stock holding authority it has a housing register of people wishing to be considered for the allocation of social rented housing and a choice based lettings scheme (the Home-Link scheme) which is the vehicle for letting the majority of these properties in the district. The Lettings Policy dictates how the housing register and the letting of properties operates and the six partner local authorities within the Home-Link scheme each operate a Lettings Policy that follows the same broad principles.
- 1.3 The purpose of this report is to advise of necessary changes to the Lettings Policy in light of new legislation and recent caselaw relating to allocation schemes. The proposed amendments to the Policy are to ensure that it minimises the risk of legal challenge.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The Homelessness Reduction Act 2017, due to be implemented in April 2018, amends various sections of the Housing Act 1996 (the homelessness legislation) and introduces new duties that the Council must perform in order to help prevent and relieve homelessness. The Lettings Policy makes reference to the various duties contained within the 1996 Act, as well as quoting particular sections. As a result of the amendments due to be brought in by the 2017 Act it is necessary to amend the Lettings Policy so that the correct sections of the Act and the new duties are quoted within the Policy.
- 2.2 There have been three cases considered by the Courts relating to whether Councils are able to exclude various categories of people from their housing registers. The rulings in these cases have clarified that Councils' allocations schemes are illegal if they exclude people that fall within the 'reasonable preference' categories defined within the Housing Act 1996. This includes applicants that may not have a connection with the Council area.
- 2.3 The Lettings Policy has been amended to allow applicants that fall within the 'reasonable preference' categories to be accepted onto the register, even where they have no connection with the district. The amended Policy, however, ensures that these applicants will not be considered for an allocation of housing ahead those that have a connection with the district and fall within the reasonable preference categories. This amendment ensures that the Lettings Policy is considered to be legal and therefore less likely to face challenge as a result of these Court rulings.

3. COMMENTS OF OVERVIEW & SCRUTINY

- 3.1 The comments of the relevant Overview and Scrutiny Panel will be included in this section prior to its consideration by the Cabinet.

4. KEY IMPACTS/RISKS? HOW WILL THEY BE ADDRESSED?

- 4.1 In terms of the proposed changes to the Policy as a result the implementation of the Homelessness Reduction Act, it is suggested that applicants who would otherwise be owed the main homelessness duty, be placed in priority band B whilst the Council is working with them under the new Prevention and Relief

Duties. The current Policy already awards this level of priority to applicants that are being assisted under prevention measures and therefore the impact of this particular change is expected to be minimal. It is likely that other changes within the Act will highlight more households under the possible threat of homelessness at an earlier stage. The risk is that this could increase the number of applicants on the register awarded this particular priority. Increasing the number of affordable housing options available, rather than relying purely on social rented housing as the solution, will help mitigate against increases in the number of households identified as at threat of homelessness. The Council's Housing Strategy sets out the actions to increase the supply of affordable housing solutions available to the Council.

- 4.2 The impact of accepting applicants falling within a reasonable preference category but with no connection to the district may increase the number of households on the register. Under a previous policy change where the connection policy was introduced just under 300 households were removed from the register, although not all these would have necessarily fallen within a reasonable preference category. It is therefore anticipated that this policy change over time may increase the numbers accepted onto the register. However, by ensuring that those with a connection are prioritised ahead of those without a connection, the Council will ensure that the Policy continues to meet local housing needs first.

5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

- 5.1 The Home-Link partnership is currently in the process of starting a procurement exercise for a new IT supplier for the software system that administers the housing register and the advertising and letting of properties. These Policy changes will be incorporated into the new system as part of the change project.

6. LINK TO THE CORPORATE PLAN

- 6.1 Supporting people to improve their health and well-being by meeting the housing and support needs of our population is a strategic priority of the Council. By keeping our Lettings Policy up to date with both legal requirements and government policy this will enable us to provide the most appropriate advice and assistance to customers wishing to apply to the housing register and access social rented housing.

7. CONSULTATION

- 7.1 The Council, together with the wider Home-Link partner local authorities, has consulted the housing associations with stock within the sub region area about these changes, with no objections received to these policy changes. As the suggested changes do not affect a large proportion of applicants on the register, or constitute a significant alteration to procedure, this is not considered to be a major change of policy and a wider consultation exercise is therefore not required.

8. LEGAL IMPLICATIONS

- 8.1 The Home-Link partners have sought legal opinion about the proposed Lettings Policy changes and have been advised that they will ensure the policy remains legal in light of the new legislation and recent caselaw precedents.

9. RESOURCE IMPLICATIONS

9.1 There are no resource implications associated with this report.

10. REASONS FOR THE RECOMMENDED DECISIONS

10.1 The Lettings Policy must be amended in light of new legislation and statutory guidance. This report recommends the necessary changes to ensure that the Lettings Policy remains legal and minimises the risk of legal challenge.

11. LIST OF APPENDICES INCLUDED

Appendix 1 – The Council’s Lettings Policy

BACKGROUND PAPERS

Homelessness Reduction Act 2017– legislation and briefing:

<http://www.legislation.gov.uk>

<https://www.homeless.org.uk>

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DRAFT

Huntingdonshire District Council

LETTINGS POLICY

This document sets out how Huntingdonshire District Council, in partnership with Registered Providers with properties in the district, will allocate their properties through the “Home-Link scheme”

February 2018

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Chapter 1

1.1 Introduction

1.1.1 This is the letting policy for Huntingdonshire District Council (the Council) and should be considered in conjunction with the Home-Link Partnership Guide, which outlines how the Home-Link choice based lettings scheme will work in Cambridgeshire and West Suffolk. The partner organisations to the Home-Link scheme are:

- a) Cambridge City Council
- b) East Cambridgeshire District Council
- c) Fenland District Council
- d) Forest Heath District Council
- e) Huntingdonshire District Council
- f) South Cambridgeshire District Council
- g) St Edmundsbury Borough Council

1.1.2 The Home-Link scheme and this lettings policy were designed through collaboration between the partner organisations listed above, with the aim of having as much consistency in the letting of social housing as is possible in a very diverse area. The lettings policy aims to ensure that all people seeking social housing in the Council area are able to exercise choice in deciding where they wish to live and in the type of property they would prefer.

1.1.3 The policy enables the Council to consider the individual needs of its applicants whilst making best use of the scarce resource of housing stock. The policy sets out:

- a) How to apply for housing.
- b) Who will qualify to be accepted onto the housing register.
- c) How priority for housing applicants will be given.
- d) What the decision-making processes are.
- e) How homes will be let.

1.1.4 You may view the Home-Link Partnership Guide and this lettings policy, at the Council's website or request a copy from any of the partner organisation's offices. (See Appendix 1 on p.31)

1.2 Objectives of the lettings policy

- a) To meet the legal requirements for the allocation of social housing as set out in the Housing Act 1996 (as amended)
- b) To assist applicants in the highest assessed need
- c) To let properties in a fair and transparent way and provide a consistent lettings process
- d) To make best use of housing stock
- e) To ensure that applicants are not unlawfully discriminated against, whether directly or indirectly
- f) To support vulnerable applicants
- g) To provide increased choice and information to applicants
- h) To provide information and feedback on homes that are let through the Home-Link scheme
- i) To improve mobility across the Cambridgeshire and West Suffolk
- j) To promote social inclusion and help achieve sustainable communities

1.3 Statement on choice

- 1.3.1 The Council is fully committed to enabling applicants to play a more active role in choosing where they live, whilst continuing to house those in the greatest need in Huntingdonshire.
- 1.3.2 The Home-Link scheme enables applicants from Huntingdonshire to have access to a percentage of available homes from all the partner organisations across Cambridgeshire and West Suffolk.

1.4 Legal context

- 1.4.1 All applicants for housing will be assessed to determine their eligibility to be placed on the housing register. This is to ensure homes are let to those in the highest assessed need and ensures that the council meets its legal obligations as set out in the Housing Act 1996 (as amended).

This policy has also had regard to:

- a) Allocation of accommodation: guidance for local housing authorities in England, and
 - b) The Public Sector Equalities Duty, and
 - c) Section 17 of the Crime and Disorder Act, and
 - d) Huntingdonshire District Council's Homelessness Strategy, and
 - e) Huntingdonshire District Council's Tenancy Strategy (containing details of the types of social rented tenancies that may be offered by housing association landlords).
- 1.4.2 The law states that there are five groups of applicants where reasonable preference must be considered:
 - a) People who are homeless (within the meaning of Part VII (7) of the Housing Act 1996 (as amended))
 - b) People who are owed a duty by any local housing authority under section 190(2), 193(2), or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3)
 - c) People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
 - d) People who need to move on medical or welfare grounds (including grounds relating to a disability); and
 - e) People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others)
 - 1.4.3 The lettings policy has been designed to ensure applicants who fall into the above reasonable preference categories will be awarded reasonable preference.
 - 1.4.4 Every application received by the Council will be considered according to the facts unique to that application as the Council recognises that every applicant's situation is different. Applications will be considered on an individual basis and individual circumstances will be taken into account. However, all lettings will be made in accordance with this lettings policy. Where individual circumstances are not covered

by the on-line application form, applicants should contact the partner to whom they are applying to discuss their application so that all relevant facts can be considered fully.

1.5 Equal opportunities and diversity

- 1.5.1 The lettings policy will be responsive, accessible and sensitive to the needs of all by having regard to the protected characteristics in the Equality Act 2010.

The Council is committed to promoting equality of opportunity and will ensure that all applicants are treated fairly and without unlawful discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

In addition, the Council is committed to the aims of the Public Sector Equality Duty (2011):

- a) Removing or minimising disadvantages suffered by people due to their protected characteristics
- b) Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- c) Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The Council also has due regard to the commitments made in Article 14 of the Human Rights Act (1998) as it relates to the service provided.

1.6 The welfare of children

- 1.6.1 The Council will ensure that decisions made under this lettings policy have regard to the need to safeguard and promote the welfare of children taking into account Section 11 of The Children's Act and the Public Sector Equality Duty.

- 1.6.2 The Council will also have regard to the Children & Social Work Act 2017 as relates to the local arrangements for safeguarding and promoting welfare of children.

1.7 The welfare of adults

- 1.7.1 The Council will also have regard to the Care Act 2014, which includes provisions for adults at risk of abuse or neglect.

1.7 Monitoring and reviewing the lettings policy

- 1.7.1 The Council will monitor the operation of the lettings policy by regularly reviewing the policy to ensure that the policy meets its stated objectives and complies with legislative changes.

Chapter 2

2.1 How to apply for housing

- 2.1.1 As well as applying to go on the housing register, applicants are given the opportunity to complete an on-line housing options assessment form. This allows the applicant's housing options to be assessed and determine which options could be the most appropriate. If this includes social housing (which includes Affordable Rents), and the applicant is eligible, they will then need to complete the more detailed housing register application form. Where applicants are unable to use these on-line facilities a paper form will be available on request and Home-Link partners can offer assistance to complete the form.

The on-line forms can be completed at www.home-link.org.uk. A paper form, if required, can be requested from the Council or any of the partner organisation's offices as detailed in Appendix 1.

- 2.1.2 An applicant may include anyone on their application who may reasonably be expected to live with them as part of their household.
- 2.1.3 Where two applicants wish to have a shared application they will be known as joint applicants. If an applicant lists a partner on his/her application it will be assumed that the partner is a joint applicant unless either party advises the council otherwise. Although adults who are not partners and need more than one bedroom may jointly apply to the register, due to the level of demand for family sized accommodation from family households (by "family" we mean households that have children (under 18) who are dependent on the adult(s)) they will not normally be prioritised for an offer of this size of accommodation ahead of families.
- 2.1.4 On receipt of the application the Council will assess this and may request additional information and supporting evidence so that the applicant's eligibility and housing need can be confirmed. The Council will verify the information provided which may include inviting the applicant for an interview or visiting them at home.
- 2.1.5 Applications will only be accepted onto the register where:
- a) The applicant is eligible for an allocation of social housing (see Chapter 3); and
 - b) The applicant qualifies for an allocation of social housing. (See sections 3.2 to 3.4).
- 2.1.6 After assessment the Council will write to applicants to inform them whether they have been accepted onto the housing register, or give reasons if they have not. Where accepted they will be informed of:
- a) Their unique reference number, which allows them to bid for homes through the Home-Link Scheme
 - b) The housing needs band in which the application has been placed
 - c) The date that the application was placed in the band (the "date in band")
 - d) The size of property for which the applicant is likely to be able to bid

If they have not been accepted onto the housing register the council will set out the reasons for this decision and will provide information about the review process (see Chapter 6).

2.2 Date of registration

2.2.1 The registration date of an application will be the date the on-line housing application form is received electronically, or if a paper application is submitted, the date it is received at the office of the Council, or any of the partner organisations.

2.3 Date in band

2.3.1 The principle of the policy is that normally no applicant should overtake existing applicants in a band. Therefore, applicants will be placed within a band in date order.

a) **New applications:** the date in band will be the same as the applicant's date of registration. Where supporting documents have been requested, not provided within 28 days but still accepted at the discretion of the council, the date in band will be the date the documents were received

b) **Change of circumstances which results in a higher band assessment:** the date in band will be the date the applicant provides evidence of the change of circumstances leading to the award of a higher priority band.

2.3.2 When applicants move down bands due to a change in their circumstances the following applies:

a) **Returning to a band that they were previously placed in:** the date in band reverts to the date that applied when the applicant was previously in that band.

b) **Moving into a lower band they have not previously been placed in:** the date in band will be the date that the application was first placed into a higher band. In most circumstances, this is likely to be their date of registration.

2.4 Armed Forces personnel – date in band.

2.4.1 Additional priority will be awarded to the following categories of people:

- a) serving members of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service
- b) former members of the regular forces
- c) bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service
- d) existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service.

2.4.2 Additional priority will be awarded to the above categories of people by awarding their application the appropriate priority band, as set out in this lettings policy, and backdating their date in band by the total cumulative period of their length of military service (including where they have made a homeless application). This will have the effect of raising their priority above applicants in similar circumstances who have not undertaken military service.

This additional priority is awarded to meet the expectations set out in the Armed Forces Covenant and national guidance.

- 2.4.3 Current members of the Armed Forces may also request that this additional priority be applied to their housing application six months prior to the date when they are due to leave military service. Appropriate evidence of the end to military service will be required.

2.5 Multiple applications

- 2.5.1 An applicant can have only one active application on the housing register at any time.

2.6 Change of circumstances

- 2.6.1 Where an applicant registered with the Council has a change in their circumstances they must promptly inform the Council. Applicants can complete a change of circumstances on-line at www.home-link.org.uk or obtain a change of circumstances form from any partner organisation, but this must then be sent to the partner organisation who is managing their application. Change of circumstances received by the Council will be assessed based on the new circumstances. Examples of change of circumstances are detailed below, although this list is not exhaustive.

- a) Change of address
- b) People joining or leaving the household
- c) Pregnancy/birth of a child
- d) Relationship breakdown
- e) Change to the medical circumstances of anyone included on the application
- f) Death of a household member
- g) Death of a joint applicant
- h) Change of income and/or capital

2.7 Applicant's consent and declaration

- 2.7.1 When an applicant applies for housing, they will be required to confirm their understanding of, or sign a declaration to confirm that:

- a) The information they have provided is true, accurate and complete.
- b) They will promptly inform the Council of any change in circumstances.
- c) They understand that information will be shared with all the partner organisations.
- d) They consent to the Council making enquiries of any relevant persons to confirm the information on the application form is correct.
- e) They consent to the release of any relevant information either to the Council held by third parties, or by the Council to third parties.
- f) The information provided may be used to help in the detection and prevention of fraud.

- 2.7.2 The Council may take legal action against applicants who withhold or provide false information regarding their housing application. Where an applicant has been let a property as a result of providing false information, their landlord may take court action to obtain possession of the property.

2.8 Data protection

2.8.1 The Council policy on Data Protection is available on request or by clicking [here](#).

2.9 Application review

2.9.1 Every year on the anniversary of an application being received, we will write to the applicant to see if they still wish to be on the housing register and ask them to update their application if there have been any changes to their circumstances. If there is no response within the required time limit, (28 days from the letter/email being sent) the application will be cancelled. We will write to the applicant to notify them of this. If an applicant contacts the Council within 28 days of their application being cancelled and indicates that they still want to be considered for housing, the application will be reinstated from their last applicable date in band (see s.2.3 above).

2.10 Cancelling an application

2.10.1 An application will be cancelled from the housing register in the following circumstances:

- a) At the applicant's request.
- b) If the applicant becomes ineligible for housing (see s.3.2).
- c) If the applicant no longer falls within a qualifying class of applicant (see s.3.3).
- d) When the applicant has been housed through the lettings policy.
- e) When a tenant completes a mutual exchange.
- f) Where an applicant does not maintain their application through the review process, or where they move and do not provide a contact address.
- g) Where the applicant has died.

2.10.2 When an application is cancelled, we will write to the applicant or their representative to notify them. Where an applicant has been highlighted as vulnerable, the Council will contact the applicant to check their circumstances before cancelling the application. Any applicant whose application has been cancelled has the right to ask for a review of the decision, (see Chapter 6).

2.10.3 Where an applicant wishes to re-join the housing register at a later date their new date of registration will be the date they re-apply.

Chapter 3

3.1 Who can be accepted onto the housing register?

- 3.1.1 The Council can allocate housing to anyone who qualifies for an allocation if they are not ineligible under the Housing Act 1996 section 160ZA
- 3.1.2 The Council cannot allocate housing to two or more persons jointly if one of them is ineligible

3.2 Eligible applicants

- 3.2.1 The Council is required, by law, to decide that certain applicants are ineligible for an allocation of social housing. Eligibility can change with a change of immigration status and therefore the Council will keep an applicant's eligibility for housing under review. Applicants are responsible for informing the Council of any change in their immigration status.
- 3.2.2 Applicants whose immigration status makes them ineligible to be considered on the register will be notified in writing of the decision and the reason for the decision. If an applicant is accepted onto the register, but subsequently becomes ineligible, their housing application will be cancelled and the applicant notified. Applicants found to be ineligible have a right to ask for a review of the decision (see Chapter 6).
- 3.2.3 Where an eligible applicant includes people who are ineligible as part of his or her household the council can, in deciding who forms part of the applicant's household for the purposes of housing allocation:
 - (a) Have regard to the fact that members of a person's household would not be eligible for accommodation in their own right
 - (b) Have regard to the fact that an ineligible person is not permitted to have recourse to public funds.
 - (c) Conclude that an ineligible person does not form part of the household.

3.3 Qualifying categories of applicants

- 3.3.1 Cambridgeshire and West Suffolk are areas where the demand for social housing far exceeds the supply. For this reason only those applicants who meet the local connection criteria will qualify to join the housing register (see 3.4).
- 3.3.2 Applicants will not qualify to join the housing register if they are considered to be unsuitable to be a tenant because of unacceptable behaviour (see 3.5)

3.4 Connection to the local area criteria

- 3.4.1 An applicant will be considered to have a connection with the Council area and accepted onto the housing register if they meet one of the following criteria:
 - a. The applicant works in the local authority area for sixteen hours or more per week; or
 - b. The applicant has lived in the local authority area for at least 6 of the last 12 months, or 3 of the last 5 years; or
 - c. The applicant has family members who have been resident in the local authority area for a period of 5 years or longer and are currently resident in

the local authority area. Family members are defined as parents, sons and daughters or brothers or sisters. Other family associations will be considered on a case by case basis; or

- d. The applicant is owed a main housing duty under the s.193 (2) or 193C(4) of the relevant homelessness legislation by the Council; or
 - e. The applicant is serving in the regular forces or who has served in the regular forces within five years of the date of their application for an allocation of housing under Part 6 of the 1996 Act; or
 - f. The applicant has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where:
 - i. the spouse or civil partner has served in the regular forces; and
 - ii. their death was attributable (wholly or partly) to that service; or
 - g. The applicant is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service; or
 - h. The applicant is a "relevant person" as defined by Regulation 4 of the Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015; or
 - i. The applicant or a member of the applicant's household needs to move away from another area to escape violence or harm; or
 - j. The applicant is a care leaver from Huntingdonshire who has been placed (by Children's Services) outside the Council area; or
 - k. There are special circumstances that the Council considers give rise to a connection.
- 3.4.2 Applicants who are in one of the reasonable preference groups (see 1.4.2) but do have a connection with the Huntingdonshire area through any of the criteria in 3.4.1 above, may be eligible to join the register. Anyone who believes this may apply to them should contact the Council directly to discuss their circumstances.

3.5 Applicants with a history of unacceptable behaviour

- 3.5.1 Where an applicant or a member of their household has a history of behaviour which in the opinion of the Council is unacceptable and makes the applicant unsuitable to be a tenant the council may decide that the applicant does not qualify to be accepted onto the housing register. Unacceptable behaviour can include (but is not limited to) domestic or other abuse, harassment, anti-social behaviour, drug dealing or other criminal activity, failing to maintain or repair their home or associated garden or garage, noise nuisance or tenancy related debt
- 3.5.2 When considering whether an applicant with a history of unacceptable behaviour qualifies to be accepted on the housing register, the council will consider the nature of the behaviour, when it took place, the length of time that has elapsed since and whether there has been any change in circumstances which would show that the applicant or member of the applicant's household had amended their behaviour so that they are considered suitable to become a tenant

- 3.5.3 If the council decides that an applicant does not qualify to be accepted on the housing register because the applicant or a member of their household has a history of unacceptable behaviour that makes them unsuitable to be a tenant, the applicant will be informed in writing of this decision and the reasons for the decision. They will also be informed how they can become a qualifying person, for example, by agreeing an arrangement to make payments towards rent arrears and adhering to this, or by the applicant showing that the circumstances or behaviour that made them unsuitable to be a tenant, has changed.
- 3.5.4 If an applicant is accepted onto the register but a change in their behaviour means that they are no longer a qualifying person, their housing application will be removed and the applicant will be notified in writing of this decision and the reasons for the decision.
- 3.5.5 Applicants considered as not qualifying due to unacceptable behaviour have a right to ask for a review of the decision (see Chapter 6).

3.6 16 and 17 year olds

- 3.6.1 Anyone aged 16 or over can apply for housing. However until the applicant reaches 18 years old any offer of accommodation will be subject to appropriate guarantor or trustee arrangements being in place. The guarantor could be a family member, adult friend, or a professional body. Applicants under 18 years old will be referred to a housing officer for advice regarding their housing rights and options.

Chapter 4

Assessment of housing need

4.1 Legal background

- 4.1.1 All eligible and qualifying applicants will be placed in a housing needs band following an assessment of their household's needs. This is to ensure that the Council meet their legal obligations as set out in the Housing Act 1996 (as amended).

4.2 Advice and information

- 4.2.1 The Council will ensure that advice and information on how to apply for housing in Huntingdonshire is available free of charge to everyone. If applicants are likely to have difficulty in making an application without assistance, then the council will make any necessary assistance they require available.

4.3 Assessment of housing need

- 4.3.1 Assessments of housing needs are based on an applicant's current housing circumstances. Assessments will be completed by housing officers of the Council. Medical assessments will be made by a medical professional or appropriately trained officer.

Where an adverse decision about an application is made by any of the Home-Link partners, any duplicate applications to another partner's housing register will have due regard to that original decision. Because the Home-Link partners use the same assessment criteria for housing applications, original decisions will only be overturned in exceptional circumstances following an assessment. The original partner applied to will be contacted to discuss the decision and the decision will generally apply to any new application when sufficient information has been received.

Any new or additional information not available for the original decision will be considered by the Home-Link partner to assess any impact on the decision.

4.4 Local lettings criteria

- 4.4.1 To ensure local housing needs are met, 90% of properties advertised through the Home-Link scheme will be labelled as available to applicants with a connection to Huntingdonshire. 10% of advertised properties will be open to bidding from applicants with a connection to any of the Home-Link partner organisations. 25% of new growth homes will be made available for cross boundary moves. The relevant local area connection requirement will be clearly labelled on the property advert.
- 4.4.2 Where a property has local area connection criteria attached to it through a local lettings plan or s.106 agreement, then these properties will be let in line with the criteria within the lettings plan or the s.106 agreement. This may differ from the connection to the local area criteria contained within this lettings policy and will be mentioned in the property advert.

4.5 Housing needs bands

- 4.5.1 Eligible and qualifying applicants will be placed in one of the following four bands in date order. Applicants placed in Band A will have the highest assessed need, Band D the lowest. When an applicant is placed in a housing needs band the same level of priority will apply with all partner organisations in the Home-Link scheme.

4.5.2 Any applicants accepted on to the housing register under section 3.4.2 of this policy (in a reasonable preference group but do not meet the connection criteria in 3.4.1) will be placed in band C. However, they will only be considered for a property after any applicants in that band who do meet the connection criteria with the Council area.

4.6 Band A: Urgent need

Applicants with the following circumstances will be placed into Band A:

a) Urgent transfer

Where an existing council or housing association tenant needs to move urgently because of circumstances that could include:

- a) Major repairs are required on the property in which they live and which cannot be undertaken with the tenant living in the property.
- b) The property is being demolished.
- c) Urgent social need to move.

b) Current supported housing resident

Applicants leaving Social Services care or other supported accommodation, and are ready to move to a permanent home of their own. This will be subject to the council, Social Services and the landlord of the supported accommodation agreeing that the applicant is ready to move to their own home. If the applicant needs an on-going support package to allow them to live independently, confirmation that this will be put in place will also be required from the proposed support provider. The date that this priority is awarded (date in Band A) will be the date that the resident is ready to move to independent living, as recommended by their support worker.

The decision to apply this priority will be made by the relevant decision-making process in the district where the supported housing is based.

c) Urgent health and safety risk

The condition of the applicants current accommodation has been assessed by the Council or a partner organisation as posing an urgent health and safety risk. This will apply where the assessment has classified the accommodation as unsafe, or where there is a risk of imminent harm as identified in the assessment, which cannot be remedied in a reasonable time and where the health and safety risk has not been caused intentionally by the applicant or a member of the applicant's household who will continue to live with them.

d) Urgent medical need

An urgent medical priority will be awarded where the assessment concludes that the applicant or household member has a severe medical condition or disability that is made substantially worse by their current housing. This would include people whose life is at risk due to their current housing conditions or who are completely housebound because of the type of accommodation they live in.

Priority will be given depending on how unsuitable the current accommodation is in relation to their medical or disability needs. The assessment is not purely based on the applicant's health conditions.

e) Lacking two or more bedrooms

The household is assessed as lacking two or more bedrooms (see s.5.4).

f) Under-occupancy by two or more bedrooms or release of adapted property

Where an existing council or housing association tenant:

- a) Is assessed as having two or more bedrooms that are not required by the household (see s.5.4).
- b) Where a property has been adapted and the adaptations are no longer required. For example, if the person requiring the adaptations has moved or died.

g) Homeless households (Main homelessness duty owed under s.193 (2) of the Housing Act 1996 as amended)

Where the Council has accepted a duty under s193 (2) of the Housing Act 1996 (as amended) and this duty has not been brought to an end.

h) Urgent multiple needs

This priority will be applied where an applicant is assessed as having two or more Band B needs. This may include an application where two household members have the same assessed need e.g. two high medical needs.

For multiple needs in Band A please see 'emergency housing status' (see Chapter 5)

4.7 Band B: High need

Applicants with the following circumstances will be placed into Band B:

a) High health and safety risk

The condition of the applicant's current accommodation has been assessed by the Council or a partner organisation as posing a high health and safety risk to them or members of their household. This will apply where the assessment has identified that the applicant is living in a property, the condition of which places them or members of their household at a high risk of harm as identified in the assessment, which cannot be remedied in a reasonable time and where the health and safety risk has not been caused intentionally by the applicant or a member of the applicant's household who will continue to live with them.

b) High medical need

A high medical priority will be awarded where the assessment concludes that the applicant or household member has a serious medical condition or disability that is made substantially worse by their current housing, but who are not housebound or whose life is not at risk due to their current housing. However, their housing conditions directly contribute to causing serious ill health and the condition of the property cannot be resolved within a reasonable period of time.

Circumstances will be assessed and may need to be referred to a relevant health care professional, depending upon the circumstances.

c) Lacking one bedroom

This priority will be applied where the household is assessed as lacking one bedroom based on the bedroom calculation in (see s.5.4).

d) Under-occupancy by one bedroom.

This priority will be applied where an existing council or housing association tenant is assessed as having one bedroom more than required by the household (see s.5.4).

e) Victims of harassment, violence or abuse

Where the Council or a partner organisation has investigated and identified that the applicant or a member of their household is being subjected to harassment or other conduct causing alarm and distress that will be improved by a move to alternative accommodation. Harassment might be, but is not limited to, harassment due to, race, sex, gender reassignment, sexual orientation, mental health, physical disability, learning disability, religion, domestic abuse or harassment by a former partner or associated persons.

The Council will offer advice and support to assist the applicant in identifying possible ways to resolve the situation.

f) Applicants owed a Prevention or Relief duty (under s, 189a or 189B of the Housing Act 1996 (as amended))

Where an applicant is threatened with homelessness within 56 days, the Council will work with the applicant to try and prevent their homelessness. Those applicants, who the council have reason to believe would be owed the main duty in the event of a homelessness application and have a local connection, will be placed in Band B whilst the prevention measures are being pursued and the applicants are actively co-operating with the prevention work.

Where homelessness prevention has not been possible and an applicant becomes homeless, they will be owed a relief duty. Those applicants, who the council have reason to believe would be owed the main duty in the event of a homelessness application and a local connection, will remain in Band B during this time.

This priority will no longer apply once the prevention and relief duties have ended and applicants will be re-assessed on their housing circumstances.

g) Sleeping rough

This priority will be applied where it has been confirmed that an applicant is sleeping rough and has no other accommodation available to them. The council will verify that an applicant is sleeping rough before awarding this priority. Rough sleeping priority will not be awarded when accommodation is available to the applicant, including a placement at a direct access hostel, but the applicant chooses not to take up this offer of accommodation. Applicants assessed as 'Sleeping rough' will not be awarded additional priority on any other accommodation related factors.

h) Multiple needs

This priority will be applied where an applicant is assessed as having three or more Band C needs. This may include an application where more than two household members have the same assessed need e.g. three medical needs.

4.8 Band C: Medium need

Applicants with the following circumstances will be placed into Band C:

a) Medium medical need

Medium medical need will be awarded where an applicant has a medical condition or disability that is affected significantly by their housing circumstances, not at a critical or serious impact level but a move would be likely to improve their quality of life.

b) Need to move for social reasons

Where the Council or a partner organisation has assessed the applicant's need to move for social reasons. An applicant will only be awarded this factor once irrespective of the number of social needs that may apply to their situation.

Examples where a social need to move may apply may include where an applicant:

- a) Needs to move to or within an area of the sub-region to give or receive support, and a proven level of support is required and can be given
- b) Has found employment in the Council area and needs to move closer to work, or will otherwise lose their employment, or suffer hardship
- c) Has staying contact with a child/children and is living in accommodation where the child/children are not allowed to stay overnight.
- d) Is living in a first floor or above property and has children less than 10 years of age as part of their household, or is more than 24 weeks pregnant.

c) Housing conditions

This priority will be applied where the applicant/s either lack or share one or more of these facilities with persons, who are not members of their household. Facilities may include:

- a) A living room
- b) Kitchen
- c) Bathroom

d) Other homelessness

Applicants who are:

- a) Owed a s195 prevention duty by the council but have been assessed as not having a local connection as set out in this policy
- b) Owed a s195 prevention or s189 (b) relief duty but where the council believe the applicant would be unlikely to be owed the main s193 (2) housing duty if the relief duty were to come to an end unsuccessfully
- c) No longer owed a prevention or relief duty
- d) Where the relief duty has come to an end unsuccessfully and the applicant has been determined to be intentionally homeless.
- e) Where the relief duty has ended unsuccessfully and it has been determined that the applicant is not owed the main duty as they are not in priority need
- f) Applicants who are owed the s193C (4) duty where the s189B relief duty has been ended due to the applicants deliberate non-cooperation
- g) Owed a main homelessness duty by a local authority that is not a partner organisation in Home-Link scheme but has a local connection as defined in this policy.

Applicants assessed as 'Other homelessness' will not be awarded additional priority on any other accommodation related factors.

Applicants given this priority will have their application reviewed on the anniversary of the decision, unless there is a change in their circumstances in the meantime.

e) Reasonable preference category but no connection to the Council area

This priority will apply to any applicant accepted onto the register under 3.4.2. (assessed as being in one of the reasonable preference groups not meeting any of the criteria in section 3.4.1).

4.9 Band D: Low housing need

4.9.1 Any applicant who does not meet any of the criteria in Bands A, B and C will be assessed as having a low level of housing need and their application will be placed in Band D.

4.9.2 Anyone assessed as having sufficient financial resources to resolve their own housing need (see s.4.13) will be placed in band D. These applicants will only be considered for an offer of a property once all other bidding applicants who do not have sufficient financial resources to resolve their own housing need have been considered.

4.10 Low priority

4.10.1 In certain circumstances, applicants will be accepted onto the housing register, but their application will be considered as low priority as a result of unacceptable behaviour or circumstances that affects their suitability to be a tenant. In these circumstances their application will be placed in a housing needs band but they will not be actively considered for an offer of a tenancy or be able to express interest in available properties. Their application will remain in low priority until the applicant has shown that the circumstances or behaviour has changed so that they are considered suitable to be a tenant.

4.10.2 The following categories will be considered as low priority:

- a. Applicants with recoverable rent arrears, former rent arrears or other housing-related charges or debts, where these are not sufficiently high to class them as not qualifying to join the register (see s.3.5). Other than in exceptional circumstances, an applicant with outstanding recoverable rent arrears, former rent arrears or other housing-related debts will not be considered for an offer of a tenancy or eligible to bid for housing until they have shown a regular repayment record.
- b. Applicants with a history of unacceptable behaviour where this is not sufficiently severe to class them as not qualifying to join the register (see s.3.5).

4.10.3 All applicants who are considered low priority will be informed of this decision in writing, and how their application could be re-assessed, for example, by agreeing and keeping to an arrangement to make payments towards rent arrears, or by the applicant satisfying the council that the circumstances or unacceptable behaviour that made them unsuitable to be a tenant have changed.

- 4.10.4 The Council expects applicants to clear any recoverable housing related debts owed to any social housing landlord before an offer of a tenancy is made, where it is clearly within their means to do this (for example where the debt is relatively low and the applicant has a reasonable disposable income or has sufficient savings available).
- 4.10.5 When a financial assessment shows that the debt cannot be cleared immediately then a realistic and affordable repayment arrangement should be agreed to clear the debt. The applicant may become eligible to bid for property as long as they have made regular payments in line with the agreement they have made.
- 4.10.6 Applicants found to be low priority have a right to ask for a review of the decision (see Chapter 6).

4.11 Intentionally worsening housing circumstances

- 4.11.1 If an applicant is assessed as having intentionally worsened their circumstances, the effect of which would be to improve their housing priority irrespective of whether they had prior knowledge of the lettings policy, their level of housing need will be assessed on the basis of their previous accommodation, or previous circumstances at their current accommodation.
- 4.11.2 Applicants found to have intentionally worsened their circumstances have a right to ask for a review of the decision (see Chapter 6).
- 4.11.3 All applicants deemed to have intentionally worsened their circumstances will have their application reviewed on the anniversary of the decision, or earlier if there is a material change in their circumstances in the meantime.
- 4.11.4 If the Council has assessed and accepted that the applicant is homeless or threatened with homelessness, has a priority need under the homeless legislation, but considers that they have become homeless intentionally, the applicant will be placed in Band C.

4.12 Homeowners

- 4.12.1 In line with the 'Allocation of accommodation: guidance for local housing authorities in England', the Council will usually only allocate social housing to homeowners in exceptional circumstances. However, the council may allocate housing that is in low demand. Applicants who are homeowners will be allocated a Band D status. In exceptional circumstances the Council may consider a homeowner's status for example the council may allocate housing to applicants who require support and whose age qualifies them for housing for older people but who have insufficient financial resources to access housing for older people in the private sector.

4.13 Financial resources

- 4.13.1 All qualifying applicants are entitled to apply for housing regardless of income levels. However, if an applicant is assessed as having income and/or capital, which will enable them to resolve their own housing need through other tenures they will not receive any preference for social housing and when bidding will appear on the shortlist after all other applicants that do not have the resources to resolve their own need.

This assessment will be based on the following

- a) The total income of the applicant/partner

- b) Any capital available to the applicant/partner
- c) Average property prices and rents in the area for the type of accommodation needed by the household
- d) The ability of the applicant/partner to rent a property in the private sector based on a realistic assessment of their financial position and commitments.
- e) The ability of the applicant/partner to acquire a mortgage and maintain required repayments based on a realistic assessment of their financial position and commitments.

4.13.2 Excluded from the above financial assessment will be any member of the Armed Forces who may have received a lump sum as compensation for an injury or disability sustained on active service.

4.13 Officer review for Band A applicants

4.13.1 Where an applicant has held Band A status for three months or more from their applicable date in band or the applicant has refused more than three reasonable offers of accommodation or has made little or no attempt to bid for accommodation the Council may carry out a review of their circumstances. This will result in either:

- a) A direct let – usually for statutorily homeless applicants living in temporary accommodation.
- b) Priority being maintained.
- c) Moving into a lower priority band if the circumstances under which they were placed in Band A no longer apply.
- d) Making the applicant unable to bid for a specified period, not exceeding 6 months

Chapter 5

Assessment information and criteria

5.1 Transfer applicants

- 5.1.1 Transfer applicants are those applicants who are tenants of a council or housing association property in the UK who wish to move to alternative accommodation.

5.2 Homeless applications

- 5.2.1 Applicants who are already on the housing register will remain in their existing housing needs band whilst a homeless assessment is carried out (unless the criterion in s.5.2.3 below applies).
- 5.2.2 When a decision has been made by the Council that an applicant is owed a main homelessness duty under s.193 (2) of the Housing Act 1996 (as amended) their application will be placed and remain in Band A until that duty is brought to an end (See s.4.6 (g))
- 5.2.3 A person who is threatened with homelessness may have an existing housing register application. Applicants already in Band A will retain their existing Band A status whilst homelessness prevention measures are pursued.
- 5.2.4 An applicant who is statutorily homeless or threatened with homelessness but deemed not to have a priority need will be placed in Band C (unless other circumstances are such that they are eligible for placement within a different band).
- 5.2.5 Applicants who have been assessed as being in priority need but are intentionally homeless will be assessed as having Band C status in line with 4.8(d). If an applicant has intentionally worsened their circumstances the housing needs assessment will take this into account (see s.4.11).

5.3 Split families

- 5.3.1 Where an application is made by family members who it would be reasonable to expect them to live together but they are unable to do so, the council will assess their particular circumstances to consider the best way of addressing their housing needs.

5.4 Bedroom requirement guidelines

- 5.4.1 Bedroom requirements are generally determined in line with the Local Housing Allowance (LHA) regulations and these regulations will be applied when calculating bedroom requirements in overcrowding and under-occupancy assessments. They will also be used when calculating the size of property (number of bedrooms in the property) that an applicant will be able to bid on and eligible to be offered through the letting process.

Bedroom requirements are determined by the applicant's size of household. Ineligible household members may not be included (see paragraph 3.2.3). Generally, the LHA regulations allow one bedroom each for:

- a) Every adult couple
- b) Any other adult aged 16 or over
- c) Any two children (aged under 16) of the same sex
- d) Any two children, regardless of sex, under the age of 10

- e) Any other child aged under 16
- f) A non-resident carer (claimant/partner or child have disability and need overnight care)

Applicants requiring help in calculating their bedroom entitlement can use the Directgov online bedroom entitlement calculator at <https://lha-direct.voa.gov.uk/BedRoomCalculator.aspx>.

If, in exceptional circumstances, the council considers that a room designated by a landlord as a bedroom is not capable of being used as a bedroom, they may re-assess overcrowding for the household.

- 5.4.2 Single and joint applicants of pensionable age may be eligible to be considered for one and two bedroom properties considered to be housing for older people.
- 5.4.3 A pregnant woman expecting her first child will be assessed as requiring two bedrooms from week 24 of her pregnancy.
- 5.4.4 An applicant may be assessed as requiring an additional bedroom where the Council considers there are special circumstances.

5.5 Staying contact with children

- 5.5.1 A child, or children, living between parents at separate addresses will only be considered as having one main home unless there are exceptional circumstances that mean that both parents should provide a home. A Court Order allowing access to children, or confirming residence between separated parents does not mean that the council must consider that the child is part of an applicant's household for the purposes of a housing register application.
- 5.5.2 An assessment will be made by the council as to which parent's property is considered as the child's main home. If the council considers that an applicant does not provide the child with his or her main home then the child will not be considered as part of the housing register application. The child would then not be considered as part of the bedroom requirements when assessing overcrowding or under-occupation. They would also not be considered when assessing the size of property (number of bedrooms) that the application would be eligible to bid for and offered through the lettings process.

5.6 Medical assessments

- 5.6.1 Medical assessments will be carried out for any applicants who believe that their medical condition or disability is affected by their current accommodation. The applicant will be required to fill in a self-assessment medical form, or provide information from a medical professional, detailing the effect that their current accommodation has on their medical condition or disability. These forms will be assessed and where appropriate referred to a medical professional or appropriately trained officer for their opinion of how the medical condition is affected by the applicant's housing circumstances.

5.7 Harassment and domestic violence

- 5.7.1 Where the applicant is a victim of harassment, domestic violence or anti-social behaviour, the Council will offer advice and support to assist applicants in identifying possible ways of resolving their situation.

5.8 Applicant subject to Multi Agency Public Protection Arrangements, (MAPPA)

- 5.8.1 Where an applicant is subject to Multi Agency Public Protection Arrangements (MAPPA), the Council will liaise with the panel to ensure an appropriate housing solution to meet the needs of the applicant and the community.

5.9 Emergency housing status

- 5.9.1 An emergency housing status may be awarded to applicants in exceptional circumstances, where remaining in their current accommodation may cause risk of death or serious injury, where an applicant has been assessed as having multiple needs that fall within Band A, where an applicant is terminally ill, is already in Band A and, in the opinion of a qualified medical practitioner, is likely to have less than 12 months to live, or where the applicant's home is to be demolished under one of the council's or partner organisation's redevelopment schemes. An applicant with emergency housing status who bids for a home will be considered as a priority above all other applicants in any other band.

5.10 Direct Lets

- 5.10.1 Most properties will be advertised through the Home-Link scheme. However in certain circumstances some properties may be let directly to applicants and these properties will be let outside of the allocation scheme. Where an applicant is identified as requiring a direct let the case will be referred to a senior officer for approval. The list below gives some examples of where this may happen.
- a) Where the council has accepted a main homelessness duty towards a household but the household has not found suitable accommodation during a period of choice through the Home-Link scheme.
 - b) Where the council has accepted a s189 (b) relief duty towards a household but the household has not found suitable accommodation during a period of choice through the Home-Link scheme.
 - c) Where an applicant and their household require a specific size, type or adapted property and the applicant has not been able to find suitable accommodation through the Home-Link scheme
 - d) Where an existing social housing tenant is required to move to make the best use of stock, including where their home is to be demolished, and they have not been successful in finding a suitable property through the Home-Link scheme
 - e) Where the applicant has emergency housing status
 - f) Use and occupation cases
 - g) Where an applicant in Band A has refused 3 reasonable offers or made little or no effort to bid
- 5.10.2 Information as to which properties have been allocated though direct lets will be made available through the Home-Link feedback information.
- 5.10.3 Direct lets will be made based on a suitable property becoming available. Where a property becomes available that is suitable for more than one applicant with a direct let status, the date applicants were awarded a direct let status will be used as a deciding factor in deciding to whom the property will be let.

5.11 Direct lets to homeless applicants

5.11.1 Homeless applicants who are owed a main homelessness duty by the Council (under s.193 (2) of the Housing Act 1996 (as amended)) will be placed in Band A and will be able to bid for properties through the Home-Link scheme. Their date in band will be the date they originally applied to the council as homeless.

5.11.2 Where homeless applicants in Band A have not been have not been offered a tenancy through the bidding process at the point at which the Council has accepted the main homelessness duty, the council reserves the right to make a direct let of a property, either in the social or private rented sector, under the council's policy on discharging homelessness duties.

5.11.3 The main homelessness duty will come to an end, and a homeless applicant loses their priority under this section, when any of the circumstances within s.193 (6) or (7) of the Housing Act 1996 Act (as amended) are met. This will include an applicant:

- a) Accepting an offer of accommodation made through the Home-Link scheme
- b) Accepting an offer made through the direct let process within the policy (see s.5.10 above), or
- c) Accepting a suitable offer of accommodation in the private rented sector in line with section 193 of the Housing Act 1996 (as amended) and the Homelessness (Suitability of Accommodation) (England) Order 2012
- d) Having been informed of the possible consequences of refusal and the right to request a review of the suitability of the accommodation, refuses a reasonable offer of suitable accommodation made through the direct let process, or in the private rented sector as outlined in c) above

S. 193(6) of the Housing Act 1996 Act (as amended) gives the full circumstances under which the main homelessness duty comes to an end.

5.11.4 Where a homeless applicant is to be allocated a property through the direct let process the Council has responsibility for determining the suitability of any allocation. They will do this by assessing the household's particular needs and circumstances within the context of the general housing conditions in the area.

5.11.5 Where a homeless applicant is offered accommodation through a direct let, but does not feel that this offer is suitable; they have the right to request a review of the decision that the offer is suitable. For details of the review process (see Chapter 6).

5.11.6 As the property does not have to remain available during the review of the suitability and reasonableness of a direct let, homeless applicants are advised to accept and move in to the accommodation pending the decision on review. If the review outcome is unsuccessful for the applicant they will still have accommodation to live in whilst they consider their further options.

5.11.7 If a homeless applicant refuses a direct let and it is then deemed suitable at review, the main homelessness duty will come to an end. They will also have to vacate any temporary accommodation that is being provided.

5.11.8 If, on reviewing an applicant's refusal of a direct let, the property offered is considered to be unreasonable or unsuitable, the duty under s.193 (2) will continue and the applicant will be made a further offer of suitable accommodation.

5.12 Applicants who require a specific size, type or adapted property.

5.12.1 Where an applicant requires a specific size, type or adapted property, they will be placed in the appropriate housing needs band, but may be offered a direct let if the Council have a shortage of suitable properties. For example:

- a) An applicant requires a very large property to accommodate their household.
- b) An applicant requires a property of a specific type in a specific area of the district.
- c) An applicant requires a property with specific adaptations and such a property becomes available.
- d) Where an applicant is willing to move to release a property larger than required to meet their housing needs.

5.13 Housing for older people (also known as sheltered housing)

5.13.1 Housing for older people will be advertised through the Home-Link scheme. Housing for older people is generally available to applicants over 60 years of age but the age limit can be lower on some properties and it will be clearly shown in the advert. Prior to an offer of a tenancy, applicants will be subject to an assessment by the landlord of the property to establish their support needs and suitability to living in housing for older people.

5.14 Extra care properties

5.14.1 Extra care properties are for older people who need the additional support services that are provided. Extra care properties are not often advertised through Home-Link. Where they are advertised, applicants who bid will be assessed based on their care needs by a specialist panel.

5.15 Refusals of direct let

5.15.1 Where an applicant (other than a person owed the main homelessness duty) refuses a reasonable offer of a direct let a senior officer will review the reasons for the refusal and the applicant may lose any housing priority they held, dependent on the reasons for the offer refusal. Applicants have the right to ask for a review of this decision (see Chapter 6).

5.16 Local lettings plans

5.16.1 Local lettings plans are used across the Home-Link area to help create balanced and sustainable communities. Where a local lettings plan applies, it will be stated in the property details when advertised. Details of any local lettings plans will be available from the local authority in whose area the property is situated. Some local lettings plans may ask for an applicant to have a local connection to a specific parish or village. In those cases, the connection criteria will be stipulated in the legal agreement for that development.

Chapter 6

6.1 Reviews of decisions

6.1.1 The Council will carry out reviews of assessment decisions as required.

6.1.2 Examples of circumstances that may be reviewed include:

- a) Multiple need in band
- b) Emergency housing status
- c) Moving people up a band or down a band
- d) Priority assessments, in complex cases.
- e) Housing people in different accommodation to designated need size
- f) Low priority decisions
- g) Direct lets
- h) Being restricted from bidding

The above list is not exhaustive.

6.2 Statutory reviews

6.2.1 An applicant has the right to request a review of certain decisions made under part 6 of the Housing Act 1996 (as amended). These are:

- a) Decisions about the facts of the applicant's case which are likely to be, or have been, taken into account in considering whether to accept onto the housing register or to allocate housing accommodation to the applicant
- b) Lack of any reasonable preference based on previous behaviour s167 (2C) Housing Act 1996 (as amended)
- c) Ineligibility for an allocation based on immigration status s160ZA (9)
- d) Decisions that an applicant does not qualify for entry on to the housing register (see sections 3.3 to 3.5)

6.2.2 Decision letters issued in respect of housing applications will advise the applicant of their right to request a review and provide appropriate guidance on how to do this. An applicant can obtain further details of the review procedure from the Council.

6.2.3 A request for a review of a decision can be made in writing or verbally to a member of staff at the Council. The request should be made within 21 days following the notification of the decision. Reviews will normally be considered within 56 days of the request being received but may be completed sooner. The applicant will receive a written response outlining the result of the review.

6.2.4 An applicant will only be entitled to one internal review. If an applicant is still unhappy following the review of a decision, they can make a complaint through the council's complaints procedures. If they continue to be dissatisfied after the council complaints procedure is concluded, they can contact the Local Government Ombudsman (see s.6.4) or seek to challenge the decision through a judicial review.

6.2.5 Statutory reviews will be undertaken by a designated officer who was not involved in the original decision, and who is senior to the original decision making officer.

6.3 Homeless reviews

- 6.3.1 Homeless applicants have the right to request a review of certain decisions made by the Council in respect of their homeless application. Within the context of the council's lettings policy this includes the decision to bring to an end the main homelessness duty by making a suitable offer of permanent accommodation through the housing register through the direct let process or in the private rented sector (see s.5.11).
- 6.3.2 If an applicant wishes to ask for the review of the Council's decision following a homeless application they must request this within 21 days of the date of the decision letter.
- 6.3.3 If an applicant wishes to request a review of the reasonableness of an offer or the suitability of the property, this must be made within 21 days of notification of a decision to make the offer. Late review requests can be considered under exceptional circumstances at the discretion of the council.
- 6.3.4 Applicants who request reviews of decisions about suitability of accommodation will be advised to accept and move into accommodation pending the outcome of their review request. If the review goes in their favour alternative accommodation will be provided as quickly as possible. However, if the reasonableness and suitability of the offer is upheld the applicant will still have accommodation to live in whilst they consider their further options.
- 6.3.5 The applicant has the right of appeal to the county court if they are dissatisfied with the decision on a review.

6.4 The Local Government Ombudsman

- 6.4.1 The Local Government Ombudsman investigates complaints of injustice arising from maladministration by local authorities and other bodies. They can be asked to investigate complaints about most council matters including housing.
- 6.4.2 If an applicant is not satisfied with the action the council has taken, and has exhausted the council's own complaints procedure, they can send a written complaint to the ombudsman.
- 6.4.3 The Local Government Ombudsman can be contacted at:
Local Government Ombudsman
The Oaks No 2
Westwood Way
Westwood Business Park
Coventry CV4 8JB
Tel: 024 7682 0000
Website: www.lgo.org.uk

If an applicant wishes to make a complaint against a housing association, they should contact:

The Housing Ombudsman Service
Norman House
105 -109 Strand
London
WC2R 0AA
Tel: 08457 125 973
Website: www.ihos.org.uk

Chapter 7

7.1 Letting of accommodation

- 7.1.1 Properties will be advertised through the Home-Link scheme. The advertising will be carried out on a regular basis and for specific periods of time, known as advertising cycles.

7.2 Labelling property adverts

- 7.2.1 All adverts will include a description of the property and any other relevant information, for example rent charge, property size, length and type of tenancy, local facilities, disabled adaptations or if the property is housing for older people. The property will be labelled to show who is able to express an interest in it (known as bidding), for example, where a local connection is required, or if there is an age restriction on the property.
- 7.2.2 At least 1% of adverts will offer preference to social housing tenants needing to move for employment reasons (who would otherwise suffer hardship) under the Right to Move scheme.
- 7.2.3 Applicants should check the information contained in the property advert labelling to see if they qualify to be considered for the property.

7.3 Bedroom requirements

- 7.3.1 Bedroom requirements will generally be determined in line with the Local Housing Allowance (LHA) regulations (see s.5.4).
- 7.3.2 Landlords may choose to allow the under-occupation of certain properties including those that they advertise. The property advert will explain this on those properties the landlord is willing to under-occupy. Where a landlord is willing to allow under-occupation, this will generally be by allowing an applicant to be considered for one bedroom more than their assessed Local Housing Allowance (LHA) entitlement (for example allowing applicants with an assessed two bedroom LHA need to be considered for a 3-bedroom property). All households bidding for these properties and meeting the labelling criteria will be considered in line with the shortlisting criteria contained in 7.4.1 below.
- 7.3.3 Where a landlord is willing to allow under-occupation an affordability assessment will be completed to ensure that the applicant being considered for the property is able to meet rent payments. If the applicant is assessed as being unable to afford the rent payments the landlord may bypass them on the shortlist.

7.4 Shortlisting

- 7.4.1 After the end of an advertising cycle a shortlist of applicants bidding for the property and meeting the labelling criteria will be produced. Applicants will be ranked in order of their priority band with Band A above Band B, Band B above Band C, and Band C above Band D. Where more than one applicant in the same priority band appears on the shortlist they will be ranked in date order as determined by their date in band (see 2.3). In circumstances where there is more than one applicant in the same band with the same date in band, the applicant with the earliest registration date will appear higher on the shortlist. If there is more than one applicant with the same band, date in band and registration date an officer will make an allocation decision based on the best use of the housing stock and needs of the applicants.

- 7.4.2 Preference during shortlisting will be given to applicants within a band who have a proven connection to the local area (see 3.4.1).
- 7.4.3 When a shortlist of applicants is completed the landlord of the available property may offer an accompanied viewing of the property to a group of the highest priority applicants. This is to ensure that if the applicant who tops the shortlist decides not to take the tenancy, the property can be quickly offered to the next person on the shortlist.
- 7.4.4 After viewing the property the applicant at the top of the shortlist will be given 24 hours to accept or refuse the offer. If an applicant is offered a tenancy (verbally or in writing) and does not reply to accept that offer within the deadline given, the landlord will take this as a refusal of the offer. If the offer is refused the next person on the shortlist will be offered the property. The landlord will work down the shortlist in order.
- 7.4.5 In exceptional circumstances an officer may make a decision to bypass an applicant on a shortlist, for example, if, in doing so, the offer could put a vulnerable person at risk of any harm. Any such decisions will be explained fully to the applicant in writing by the landlord making the decision. This is known as a 'sensitive let'.

7.5 Formal offer of the property

- 7.5.1 Once the applicant has confirmed their acceptance of the tenancy the landlord of the property will write to confirm the formal offer of the tenancy. The Home-Link system will then not allow that applicant to be considered for any further properties and once the tenancy starts their housing register application will be cancelled.
- 7.5.2 Once the property is ready to let the landlord of the property will complete the tenancy sign up.

7.6 Withdrawal of offers

- 7.6.1 In exceptional circumstances an offer of a property may be withdrawn, for example:
- a) Where there has been a change in the applicants' circumstances
 - b) Where the successful applicant has rent arrears or other housing related debts that had previously not come to light
 - c) Following verification the applicant is not eligible for the property
 - d) Where an error has been made in the advertising criteria
 - e) Where an offer of accommodation could put a vulnerable person at risk of any harm
 - f) Where the property is no longer available to let

7.7 Refusing an offer of accommodation

- 7.7.1 Usually, if an applicant refuses an offer of accommodation made through Home-Link, they will remain in their housing needs band. If an applicant unreasonably refuses three or more offers of a property made through Home-Link or has made little or no attempt to bid for accommodation, an officer may contact the applicant to offer support and assistance and verify their circumstances. The applicant may be moved into a lower priority band or be unable to bid for a specified period not exceeding 6 months

7.8 Allocations to staff, council members or their family members

- 7.8.1 Members of staff, their close family and elected members who require housing with the Council may apply for housing in the same way as other applicants. Their status should be disclosed on the application form at the time of applying.
- 7.8.2 If an applicant who is a member of staff, elected member or a member of their direct family, makes a successful bid for a property the Housing Needs & Resources Manager will be informed and must approve the letting prior to the formal offer being made.

7.9 Tenancy management outside the scope of the lettings policy

- 7.9.1 The following tenancy management areas are not included as part of this lettings policy as they are not included within part 6 of the Housing Act 1996 (as amended):
- a) Mutual exchanges
 - b) Introductory/starter tenancies converted to secure/assured tenancies
 - c) Where a secure/assured tenancy of a property is assigned by way of succession to the same property
 - d) Where a secure/assured tenancy is assigned to someone who would be qualified to succeed to that tenancy if the secure/assured tenant died immediately before the assignment
 - e) Where court orders are made under one of the following:
 - i. Section 24 of the Matrimonial Causes Act 1973
 - ii. Section 17 (1) of the Matrimonial and Family Proceedings Act 1984
 - iii. Paragraph 1 of schedule 1 to the Children Act 1989

Chapter 8

Confidentiality and access to information

8.1 Applicants' rights to information

- 8.1.1 Applicants have the right to request such general information as will enable them to assess:
- a. How their application is likely to be treated under the lettings policy (including whether they are likely to be regarded as a member of a group of people who are to be given preference by this policy, (see Chapter 3)
 - b. Whether housing accommodation appropriate to their needs is likely to be made available to them.
- 8.1.2 Applicants have the right to request information held about their application which is likely to be, or has been, taken into account when considering whether to allocate them housing.

8.2 Data protection

- 8.2.1 When an applicant applies to the Home-Link scheme the partner organisations will only ask for information that they need to assess their eligibility and housing needs. The partner organisations will collect and keep data in accordance with the council's guidelines on handling personal, sensitive personal or special categories of personal data.
- 8.2.2 These guidelines are in accordance with the national regulations which cover both electronic and manual records and the govern everything we do with the data, including collecting, storing, using and disposing of it.
- 8.2.3 Personal, sensitive personal or special categories of personal data held about applicants will not be disclosed to third parties apart from:
- a) Where the individual who is the subject of the confidential information has consented to the disclosure
 - b) Where disclosure is made in accordance with an information sharing protocol that complies with the ICO's current data sharing code of practice
 - c) Where the council or a partner organisation is required by law to make such disclosures

8.3 Requesting information

- 8.3.1 Applicants are able to request copies of the information held regarding their application. Please note that we cannot provide you with personal information about other people if doing so will breach the regulations.

Appendix 1

Home-Link partner organisation list

Local authority

Cambridge City Council

Mandela House
4 Regent Street
Cambridge
CB2 1BY
Email: cbl@cambridge.gov.uk
Website: www.cambridge.gov.uk

South Cambridgeshire District Council

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA
Email: cbl@scambs.gov.uk
Website: www.scambs.gov.uk

East Cambridgeshire District Council,

The Grange
Nutholt Lane
Ely
Cambs.
CB7 4PL
Email: customerservices@eastcambs.gov.uk
Website: www.eastcambs.gov.uk

Huntingdonshire District Council

Pathfinder House
St Mary's Street
Huntingdon
Cambridgeshire
PE29 3TN
Email: housingervices@huntsdc.gov.uk
Website: www.huntingdonshire.gov.uk

Fenland District Council

Fenland Hall
County Road
March
Cambridgeshire
PE15 8NQ
Email: info@fenland.gov.uk
Website: www.fenland.gov.uk

LSVT landlord

Sanctuary Housing

Avro House
49 Lancaster Way Business Park
Ely
Cambs
CB6 3NW
Email: east-lettings@sanctuary-housing.co.uk
Website: www.sanctuary-housing.co.uk

Luminus Group

Brook House
Ouse Walk
Huntingdon
Cambridgeshire
PE29 3QW
Email: homes@luminus.org.uk
Website: www.luminus.org.uk

Circle Housing

Beacon House
23 Hostmoor Avenue
March
Cambridgeshire
PE15 0AX
Email: Lettings-March@circle.org.uk
Website: www.circle.org.uk

Local authority

Forest Heath District Council

College Heath Road
Mildenhall
Suffolk
IP28 7EY

Email:
customer.services@westsuffolk.gov.uk
Website: www.westsuffolk.gov.uk

St Edmundsbury Borough Council

West Suffolk House
Western Way
Bury St Edmunds
Suffolk
IP33 3YU

Email:
customer.services@westsuffolk.gov.uk
Website: www.westsuffolk.gov.uk

LSVT landlord

Flagship Housing Group

Keswick Hall
Keswick
Norwich
Norfolk
NR4 6TJ

Email: info@flagship-housing.co.uk
Website: www.flagship-housing.co.uk

Havebury Housing Partnership

Havebury House
Western Way
Bury St. Edmunds
Suffolk
IP33 3SP

Email: office@havebury.com
Website: www.havebury.com

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Appendix 2

GLOSSARY OF TERMS

Adapted properties – a property that has been adapted for an applicant with disabilities.

Advertising cycle – how often properties are advertised and available to make a bid on.

Advertised - properties that are advertised and are available for applicants to bid for through Home-Link.

Age restrictions - where a property is labelled, as only being available to applicants of a certain age.

Application number - a unique housing register number generated by the computer system.

Bedroom eligibility - how many bedrooms a household is assessed as needing.

Bid – the process used by applicants in registering an interest in an available property.

Choice based lettings (CBL) - a method of allocating social and affordable homes which have become available for letting by openly advertising them, and allowing applicants to bid for these.

Customer/applicant - is either a tenant of a partner organisation (including those in temporary accommodation) or a housing applicant on the Home-Link housing register.

Date of registration - the date an application form is registered with a partner organisation.

Date in band - the date an application is placed in a housing needs band and used as the applicable date when shortlisting.

Decision making organisation - the organisation that made a particular decision about a housing or homeless application.

Direct let - a property that is offered directly to an applicant, without them having to bid.

Domestic violence/abuse - is threatening behaviour, violence or abuse (physical, psychological, sexual, financial or emotional) by a partner, former partner or a family member.

Housing options - looking at the number of ways in which an applicant or customer might be assisted and supported to find a solution to their housing needs. Housing options may include private rented accommodation, mutual exchange, or even a help to buy product.

Housing register - a list of those requesting, eligible and qualifying for housing.

Housing related debts - are defined as recoverable current rent arrears, former tenant arrears, outstanding re-chargeable repairs, current and former housing related service charge arrears and court costs. They do not include Council Tax debts or Housing Benefit overpayments.

Joint application - where more than one applicant applies to join the housing register on one application form.

Labelling properties - describing who is eligible to bid for a property and if there will be a preference applied.

Local Connection - The connection an applicant has to a specific area.

Local elected members - each local authority is governed by a group of elected members also known as councillors.

LSVT landlord - Large Scale Voluntary Transfer, where a local authority has sold its housing stock to a Registered Provider

Mutual exchange - a scheme which allows two social housing tenants to swap their homes.

Partner organisations - all the councils that are partners to the Home-Link scheme.

Registered Providers - also known as housing associations. These are social landlords who also provide social and affordable rented homes for which applicants/customers can bid for through the Home-Link scheme.

Regular Forces - Means the Royal Navy, the Royal Marines, Her Majesty's regular army or the Royal Air Force

Reserve Forces - Means the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve, the Regular Reserves, the Royal Air Force Reserve or the Royal Auxiliary Air Force

Transferring tenant - an applicant who is currently a tenant of a local authority or registered provider and who wishes to move.

Panel	Study	Date	Status	Action	Date for Future Action
55	Performance & Customers	Forward Programme			
		March 2018	Lettings Policy Review	J Collen – Housing Needs and Resource Manager	05/03/18
		April 2018	Shared Service 2018/19 Business Plans (Exempt Item)	O Morley – Corporate Director (Services)	04/04/18
		June 2018	Commercialisation – Business Case 2 (Exempt Item)	C Stopford – Head of Community	06/06/18
		July 2018	Twelve Month Review of Bearscroft Farm Local Lettings Plan	J Collen – Housing Needs and Resource Manager	04/07/18
			Commercial Investment Strategy Business Plan Phase 1	C Mason – Head of Resources	"
			Assets Disposals – Part 1 (Exempt Item)	C Luscombe – Estates Strategic Assessment Officer	"
		Site Disposal B (Exempt Item)	C Luscombe – Estates Strategic Assessment Officer	"	
Performance & Customers	One Leisure Value For Money	05/07/17	The Panel agreed to create the Task and Finish Group. The following are Members of the Group: Councillors R C Carter, D B Dew, Mrs L A Duffy, M Francis, Mrs D C Reynolds and R J West.		

Panel	Study	Date	Status	Action	Date for Future Action
		12/09/17	The first meeting of the Task and Finish Group was held.	A second meeting was held in November. The Group has decided to question previous Portfolio Holders. Also a substantial amount of evidence has been presented to the Group for review and their findings will be presented to the Panel in their final report.	04/04/18
Communities & Environment	Forward Programme		Below are a list of reports to be presented at future Panel meetings:		
56	March 2018		Luminus/Places For People Presentation	Luminus/Places for People (External)	06/03/18
	April 2018		Final report of the Tree Strategy Working Group	Tree Group (Cllrs Alban, Chapman, Davies and Tavener)	03/04/18
	June 2018		Community Resilience Plan	C Stopford – Head of Community	05/06/18
			Huntingdonshire Community Safety Partnership Annual Update	C Stopford – Head of Community	"
			Hinchingbrooke County Park Long Term Business Plan (Exempt Item)	N Sloper – Head of Operations	"
			Paxton Pits Long Term Business Plan (Exempt Item)	N Sloper – Head of Operations	"
			Godmanchester Nursery Update (Exempt Item)	N Sloper – Head of Operations	"

Panel	Study	Date	Status	Action	Date for Future Action
57 Communities & Environment	Future of Hinchingsbrooke Country Park, Paxton Pits, Godmanchester Nursery and Public Rights of Way	01/11/16	The Panel received an exempt report on the contractual arrangements and potential improvement programme of Hinchingsbrooke Country Park. The Cabinet received the same report but including the Panel's comments at its meeting in November 2016.	The Cabinet made a decision on the report. The decision remains confidential whilst negotiations are taking place.	
		07/03/17	Cambridgeshire County Council's Highways Maintenance Manager, Mr Jonathan Clarke, was in attendance to update Members on the maintenance of Huntingdonshire's Public Rights of Way.	A report on Hinchingsbrooke Country Park is expected at the Panel meeting in June 2018.	05/06/18
				A report on Paxton Pits is expected at the Panel meeting in June 2018.	05/06/18
				A report on Godmanchester Nursery is expected at the Panel meeting in June 2018.	05/06/18
Communities & Environment	Community Resilience Plan including relationships with Parish and Town Councils and the County Council	04/07/17	The Executive Councillor for Community Resilience and Well-Being gave Members an update on the Community Resilience Plan and encouraging Members to become ambassadors for the Council.	A Community Resilience Plan will be presented to the Panel.	05/06/18
Communities & Environment	Reports Due and Regular Items				

Panel	Study	Date	Status	Action	Date for Future Action
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	Representatives on External Organisations	Annual	Selected Members represent the Council on various External Organisations. The Panel received updates at its meetings in November 2016 and March 2017.	Next report is due at the Panel meeting in December 2018.	04/12/18
	Huntingdonshire Community Safety Partnership	04/10/16	Annual review of the work of the Partnership. The 2016/17 report is scheduled to be presented to the Panel in June 2018.	A six month update report is due at a future meeting of the Panel.	05/06/18
	Air Quality in Huntingdonshire	05/09/17	The Panel received a presentation from the Senior Public Health Manager – Environment and Planning at Cambridgeshire County Council on Air Quality in Huntingdonshire.	The Panel resolved to revisit the issue at a future Panel meeting.	To be decided

CE OE Economy & Growth	Forward Programme		Below are a list of reports to be presented at future Panel meetings:		
	March 2018		Growth and Infrastructure Planning Update	C Kerr – Planning Service Manager (Policy)	08/03/18
	June 2018		Car Parking Strategy Task and Finish Group – Strategy	N Sloper – Head of Operations	07/06/18
			Huntingdonshire Economic Growth Plan 2013 – 2023	S Bedlow – Economic Development Manager	"
			Combined Authority Update	Executive Leader	"

Panel	Study	Date	Status	Action	Date for Future Action
Economy & Growth 59	Strategic Review of Car Parking	03/11/16	Following Cabinet's agreement to set up a Strategic Task and Finish Group, the Panel discussed the Strategic Review of Car Parking. The Panel appointed Councillors D B Dew, R Fuller, I D Gardener and T D Sanderson to the group.	It was agreed that the Task and Finish Group will not be led by Overview and Scrutiny; however the Panel will be responsible for the scrutiny of the Task and Finish Group's work. To date the Group have held four meetings to finalise the Car Parking Vision. Work on the Strategy is progressing. The Group has held two meetings (October and November) since the Vision was presented to Members. The strategy is due to be presented to the Panel in June.	07/06/18
		06/04/17	A project overview and scoping document was presented to the Overview and Scrutiny Panel.		
		05/10/17	The Car Parking Vision was presented to Overview and Scrutiny and then to Cabinet on 12th October when it was approved.		
Economy & Growth	Local Plan To 2036	06/10/16	Members agreed to keep the Local Plan to 2036 on the work programme. A task and finish group has not be established however the Panel have agreed that the Chairman should become the Panel expert on the topic.		
		12/12/17	The Panel received and discussed the Huntingdonshire Local Plan to 2036.		

Panel	Study	Date	Status	Action	Date for Future Action
Economy & Growth	Combined Authority	06/10/16	Members agreed to keep Devolution on the work programme however before appointing a Panel expert, Members would like to invite the relevant Executive Councillor responsible to a future Panel meeting to update the Panel on what work has been done so far.	The Panel are to receive a six month update on the work of the Combined Authority.	07/06/18
		02/11/17	The Panel are to receive an update on the work of the Combined Authority from Councillors R B Howe and T Hayward.		
Economy & Growth	Reports Due and Regular Items		Below are a list of reports to be presented at future Panel meetings:	Next report is due at the Panel meeting in December 2017.	06/12/18
	Representatives on External Organisations	Annual	Selected Members represent the Council on various External Organisations. The Panel received updates at its meetings in November 2016 and February 2017.		
	Marketing Strategy Work Programme	Annual	The Panel have requested annual updates on the work programme.		